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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HOWARD KINNEY,

Plaintiff,

08 CV 237 (SHS)

-against-

STIPULATION

SMITHKLINE BEECHAM CORPORATION,
GLAXOSMITHKLINE and
SMITHKLINE BEECHAM CORPORATION
d/b/a/ GLAXOSMITHKLINE

Defendant.
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IT IS HEREBY STIPULATED AND AGREED between counsel for the parties to the above-captioned action, Plaintiff Howard Kinney, and Defendant SmithKline Beecham Corporation d/b/a GlaxoSmithKline ("GSK") (also improperly named as SMITHKLINE BEECHAM CORPORATION and GLAXOSMITHKLINE), that the time for Defendant GSK to move, plead or otherwise respond to the Plaintiff's Complaint is hereby extended until thirty (30) days after both entry of an order of the Judicial Panel on Multidistrict Litigation, finally transferring this action to the Multidistrict Litigation pending in the United States District Court for the Eastern District of Pennsylvania entitled *In re: Avandia Marketing, Sales Practices and Products Liability Litigation*, Case # 2:07-md-01871-CMR, and the issuance of a Case Management Order by the MDL Court, absent any direction by the Court to the contrary in the Case Management Order.

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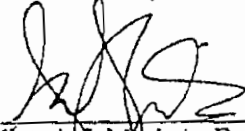
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Dated: February 11, 2008


Victoria J. Maniatis, Esq.
MORELLI RATNER PC
950 Third Avenue
New York, NY 10022
(212) 751-9800

David Eisbrough, Esq.
BALKIN & EISBROUGH LLC
50 Main Street
Hackensack, NJ 07061
(201) 342-5545


Kenneth J. King, (KK 3567)
Suzanne M. D'Amico (SD 3581)
PEPPER HAMILTON LLP
620 Eighth Avenue, 37th Floor
New York, NY 10018
(212) 808-2700

and

Nina M. Gussack
PEPPER HAMILTON LLP
3000 Two Logan Square
18th and Arch Streets
Philadelphia, PA 19103

Attorneys for Defendant
SmithKline Beecham Corporation
d/b/a GlaxoSmithKline

So Ordered: 2/13/08

